(4)

(1)

BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR (CHHATTISGARH)

WRIT PETITION NO. 396 /2002

PETITIONER — Dineshwar Chandrakar, S/o. Nemanlal Chandrakar, aged about 42 years, R/o. Birkoni, Distt. Mahasamund (Chhattisgarh)

VERSUS

RESPONDENTS

1) State of Chhattisgarh
Through Principal Secretary,
Department of Mines and Minerals,
Mantralay, D.K.S. Bhawan, Raipur
(Chhattisgarh)

2) Collector, Distt. Mahasamund
Chhattisgarh.

3) Asstt. Mining Officer Incharge
Collector Office, Collectorate
Mahasamund. (C.G.)

P.R. No. 396 Received by Shri Rajesh Munshi & team

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. No. 396/2002 सन् ~~2000~~

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	16.05.2002 Heard Shri Kishore Bhaduri, learned counsel for the petitioner and Shri Goutam Bhaduri, Government Advocate for the Respondents. The petitioner has in this petition sought for quashing of Annexure P/4, an order dt.30th January, 2002, passed by the Mining Officer-Respondent No.3 on behalf of Respondent No .2 and to direct the respondents to allow the petitioner to mine on the land in question for the total period of lease including the period when they could not mine due to the wrongful action on the part of the respondents. The case of the petitioner is that he is the resident of village Birkoni, District Mahasamund. He was granted a lease for mining the sand in the village Nandgaon. The said lease was granted for mining the sand for a period of three months commencing from 16.12.2001 to 15.3.2002. The lease period has expired on 15.3.2002. Annexure P/4 is an order cancelling the lease granted in favour of the petitioner. Since the lease period itself has already expired, this petition has become infructuous. The petition is, therefore, liable to be rejected and it is rejected.	

दिखाये

(26)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. No. 396/2002 सन् ~~200~~

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंन्तिम आदेश

However, the petitioner is at liberty to apply for grant of lease for a further period and if such an application is filed, the respondents are at liberty to consider the same sympathetically and pass appropriate orders in accordance with law.

With this observation this petition is disposed of.

Sd/-
Chief Justice